

UNITED STATE DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Hugo LaRosa

Plaintiff(s)

-against-

Complaint
Jury Trial Demanded

16CV9668

1. Stellex Monitor Aerospace, (cooperation),
2. Turley, Redmond, Rosasco and Rosasco, LLP (cooperation);
3. Robert G. Beloten, Chairman State of New York
Workers Compensation Board:
4. Bernard Rawlings, M.D., spinal surgery

Defendants.

Plaintiff in the above-captioned action, alleges(s) as follows:

JURISDICTION

1. This is a civil action seeking relief and/or damages to defend and protect the rights guaranteed by the Constitution of the United State. This action is brought pursuant to 42 U.S.C. § 28 U.S.C. §§ 1331, 1343(3) and 2201.

PARTIES

2. Plaintiff: Hugo LaRosa
Address: Orleans Correctional Facility
3531 Gaines Basin Road
Albion, New York 14411
3. (a) Defendant: Stellex Monitor Aerospace (cooperation)
Address: 1000 New Horizon Blvd.
Amitiville New York 11701
- (b) Defendant: Turley, Redmond, Rosasco and Rosasco LLP
(cooperation).
Address: 3075 veterans Memorial Highway Suite 200,
Ronkonkoma, NEW York 11779
- (c) Defendant: Robert E. Beloten, Chairman, NYS workers
compensation Board
Address: 328 State Street, Suite 1
Schenectady, N.Y. 12305-2300

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S.D. OF N.Y.

(d) Defendant: Bernard Rawlings, Medical Doctor
Hospital for SPECIAL SURGERY
Address : 5252 East 72 street
NY.NY 10021

4. The place of present confinement of the plaintiff is Orleans Correctional Facility. For the present action there is no requirement for any exhaustion of the grievance process.
5. Previous lawsuit: No previous lawsuit concerning the present issues has been filed in State or Federal court.

Facts

1. On February 11, 2001 Plaintiff was an employee At Stellex Monitor Aerospace, an Defendant in the case. On the above date plaintiff was lifting when to take out the part and approximately 130 lbs I lifted the aluminum material I, hold the part and the table had a wet-spot and I, fell and on the table and the parts I couldn't control the parts because of my back it felt like I broke it then I felt my legs shake and I go down the table to the floor because I don't have feeling or power to my legs and I stayed like 15 minute until I got help then someone came to me they asked me what is going on and I said to him I fell on the table when I finished the job he told me do you want to go the hospital I said Yes, to him and he told me to come into office when I went I walked were slow because I could not walk and he had a book he wrote the complaint down and I want to explain this accident to a supervisor he was told to continue working in spite of the pain and injuries he complained about).

2. The after, it was discovered that plaintiff had suffered extensive damage and injuries to his body. An MRI revealed multiple disc herniations. He suffers from constant lower back pain which radiates down the lower extremity, associated with muscular spasm, A burning sensation, numbness. The multiple disc herniation

required a laminectomy fusion surgery which was performed in March of 2003. over an extended period of time plaintiff had lumbar paravertebral facet nerve block injections.

3. Plaintiff has growing weakness on bi-lateral hip flexion extension, left leg extension and left foot dors: Flexion. He is now permanently disabled and amputates with assistance of a cane. His condition, with time, is only worsening. He is maintained on a variety of medications for pain management, as well as meds for insomnia and his mental and psychological State. due to his injuries and causes, This is an ongoing condition and an continuing wrong upon the defendants.

4. The law firm Turley, Redmond, Rosasco and Rosasco, LLP was hired to represent plaintiff in both his workers compensation case and in a civil action against defendant STELLEX MONITOR AEROSPACE, For the extensive injuries he suffered. At this late date he has learned an actual lawsuit was not filed, one never was, a fact defendant Turley, Redmond, Rosasco and Rosasco misled Plaintiff into believing. William J. Turley personally informed plaintiff that such a lawsuit would be filed,

A secretary from his office continually led him to believe an action had been filed against stellex. Now he has learned one was not, all this time later. A clear breach of contract, duty, and misrepresentation regardless of the fact that plaintiff did receive some workmans compensation for his lost earning capacity, He has nowever receiver nothing for his pain and suffering, distress, incresingly crippling injuries, and future medical needs. plaintiff has reason to believe that law firm conspired to reach a secret aggrement with Stellex to not sue on plaintiffs be half, Even to not ensure plaintiff would be fairly compensated in his case against the state of New YOrk, workers compensation Board and it's the chair man defendant Robert E. Beloten.

5. Robert E. Beloten ensured that plaintiff would not be fairly and fully compensated for the injuries or the lost earning capacity, or the future medical treatment of the plaintiff. It is believed that discovery will disclose the full extent of dealings, agreements, and final decisions betueen TRRR LLP, stellex Monitor Aerospace; insurance carrier; and workmans compensation Board chairman Robert E. Beloten and his Assistants.

6. Bernard Rawlings, Medical doctor, performed spine surgery on plaintiff in march of 2003. Recently plaintiff learned that doctor Rawlings while operating on him "accidently" severad At least one nerve while he was open. plaintiff was never onformed of this fact by the defendant or his medical staff though plaintiff don't know of the act was in fact an accident. failute to properly inform him of incident Border not merely on deliberate indiffrence

but once was, so inappropriate as evidence an intentional act of maltreatment. In any event, it has contributed to plaintiff declining physical condition and pain he has suffered over a very long period of time.

7. Though the actual injury to plaintiff happened to Plaintiff in 2001, each of the issues raised herein is attached to an continuing and on-going condition of his health. He had been injured. Not fairly compensated, not provided proper medical treatment. Lied too and not properly represented by his counsel. denied suit and access to the courts. Left to suffer in his declining physical health. Left to wonder and worry about his future medical care and costs due to all the Defendants named herein.

CAUSES OF ACTION

A. Defendant: Stellex Monitor Aerospace. Allowed a wet spot on the floor that caused the initial injury. then forced him to continue working with the injury, increasing the harm done to him.

B. Defendant: Turley, Redmond, Rosasco and Rosasco LLP. Improperly informed plaintiff as to the full nature of their representation of him. Failed to file a suit against Stellex while for years led him to believe they did, possibly making an closed agreement not to sue while at the same time denying him access to the court by exhausting the statute of limitation time period. Thus, Also causing extreme emotional distress. and is believed to conspired with both Stellex and workers compensation board to deny proper compensation.

(c). Defendant: Robert E. Beloten, chairman conspired to deny plaintiff proper compensation for his injuries and to ensure There would be on lawsuit over the injuries.

(d).Defendant: Bernard: Rawlings, medical doctor,Improperly severed at least one of the plaintiff's spinal nerves then failed to inform him of the oncident after performing the surgery leaving him to suffer more additional pain outside the initial workplace injury for years. causing him not only additional pain and suffering but extreme emotional distress.

8. PRAYER FOR RELIEF

(a) Defendant, stellex Monitor Aerospace- Plaintiff seeks twenty-Five Million dollars in compensatory damages (\$25,000,000).

Tem Million in panitive damages.

(b). Defendant, Turley, Redmond, Rosasco and Rosasco- Plaintiff seek five Million dollars compensatory damage, (\$25,000,000).

Tem Million in punitive damages.

(c) Defendant, Robert E. Beloten- plaintiff seek Five-hundred thousand dollars in damage, compesatory damage (\$500,000).

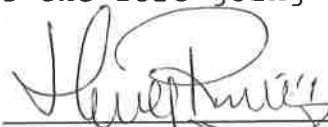
one- hundred thousant in punitive damage.

(d) Defendant, Bernard Rawlings- plaintiff seek Tem Million dollars in (\$10,000,000). Five Million in punitive damage.

Wherefore, plaintiff request (s) that this court grant him the relief he deserves.

I declare under penalty of perjury that the fore going is true and correct,

Date: December 7, 2016


Hugo LaRosa, #12-A-3185

Case 1:16-cv-09668-CM Document 2 Filed 12/12/16 Page 7 of 7



DIN: 12-A-3185

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(Musical notation)

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